GJM

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
2008 JAN 10

UNITED STATES OF AMERICA, Plaintiff, v. **Peter Christopher Jr. DOTINGA** Defendant.	Magistrate Case No. **'08 MJ 0070**
	COMPLAINT FOR VIOLATION OF
	Title 8, U.S.C., Section 1324(a)(2)(B)(iii)- Bringing in Illegal Aliens Without Presentation

SOUTHERN DISTRICT OF CALIFORNIA
BY KMT DEPUTY

The undersigned complainant being duly sworn states:

On or about **January 8, 2008**, within the Southern District of California, defendant **Peter Christopher Jr. DOTINGA**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Javier VAZQUEZ-Reyes, Victor Jose MARTINEZ- Reyes, Gelacio ORTEGA-Lopez** and **Alan Fernando LEIVA-Paniagua** had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens, and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Claudia Rios, United States Customs
and Border Protection Enforcement Officer

Sworn to before me and subscribed in my presence, this **10th** day of **January, 2008**.

UNITED STATES MAGISTRATE JUDGE

CJM

PROBABLE CAUSE STATEMENT

The complainant states that **Javier VAZQUEZ-Reyes, Victor Jose MARTINEZ-Reyes, Gelacio ORTEGA-Lopez** and **Alan Fernando LEIVA-Paniagua** are citizens of a country other than the United States; that said aliens have admitted they are deportable; that their testimony is material; that it is impracticable to secure their attendance at trial by subpoena; and that they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On January 8, 2007, at about 10:05 p.m., **Peter Christopher Jr. DOTINGA (Defendant)** made application for admission into the United States at the San Ysidro, California Port of Entry as a sole driver of a Chevrolet Silverado. Upon inspection before a United States Customs and Border Protection (CBP) Officer, Defendant presented as his own a California Identification card bearing the name and photograph of Daniel John Turner and claimed to be a United States Citizen. Defendant gave a negative customs declaration and stated the vehicle belonged to his step-father. During the course of the examination, the CBP Officer determined Defendant was an imposter to the California Identification he presented. In addition, the CBP Officer discovered what appeared to be unusual discrepancies in the rear seat of the truck. As a result, the CBP Officer requested assistance from other officers; Defendant was taken into custody and escorted into the security office. The vehicle was driven to secondary inspection.

In secondary, Defendant was confirmed to be an impostor to the document presented. The inspection of the vehicle revealed four (4) individuals found concealed under a modified rear seat of the truck. All four individuals were retained as material witnesses and are now identified as **Javier VAZQUEZ-Reyes, Victor Jose MARTINEZ- Reyes, Gelacio ORTEGA-Lopez** and **Alan Fernando LEIVA-Paniagua.** All material witnesses were determined to be citizens of Mexico with the exception of **Alan Fernando LEIVA-Paniagua** who is a citizen of Guatemala. All material witnesses were determined to be undocumented aliens.

On separate videotaped interviews, the material witnesses declared they are undocumented aliens without legal rights to enter the United States. Material witnesses stated they were to pay fees ranging from $3,000.00 to $4,000.00 to be smuggled into the United States. All material witnesses stated they intended to travel to California. All material witnesses identified Defendant from a photographic lineup display, stating Defendant was present during their concealment in the vehicle.